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EXAMINER

SHAPIRO, LEONID

ART UNIT

PAPER NUMBER

2673

DATE MAILED: 02/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/777,404

Applicant(s)

KANEVSKY ET AL.

Examiner

Leonid Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4-10,12-19,22-28 and 30-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-10,12-19,22-28 and 30-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 28 January 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### *Drawings*

1. The corrected or substitute drawings were received on 01-28-03. These drawings are Figs. 1 and 4.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-5, 8-10, 12, 19, 22-23, 26-28, 30, rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al. (US Patent No. 6,272,431 B1) in view of Breed et al. (US Patent No. 6,405,132 B1).

As to claim 1, Zamojdo et al. teaches a navigational system for a vehicle with an optical arrangement installed on at least one transparent viewing surface for a driver of the vehicle, optical arrangement representing images displayed on one viewing surface producing guiding images for imparting directions to the driver (See Fig. 3, 4, item 625, in description See Col. 3, Lines 13-14 and 31-37); images have graphical representation pointing toward objects observed by the driver (See Fig. 3, item 621, in description See Col. 3, Lines 31-37); graphical representations comprise an image of at least one arrow display on at least one viewing surface pointing towards a selected object for guiding the driver in a specified direction of travel (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al. does not teach a navigational system, wherein system is in operative communications with a global positioning system (GPS) so as to impart information to the driver

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regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means.

Breed et al teaches the system and method for preventing vehicle accidents in which GPS ranging signals received (See Fig. 4-5, items 46,48,54,56,58, in description See from Col. 69, Line 50 to Col. 70, Lines 54). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as shown by Breed et al. in the Zamojdo et al. system so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means in order to increase the speeds and shortening distances between vehicles (See Col. 68, Lines 333-37 in Breed et al reference).

As to claim 19, Zamojdo et al. teaches a method for navigational of a vehicle with an optical arrangement installed on at least one transparent viewing surface for a driver of the vehicle, optical arrangement representing images displayed on one viewing surface producing guiding images for imparting directions to the driver (See Fig. 3, 4, item 621, in description See Col. 3, Lines 13-14 and 31-37); graphical representations comprise an image of at least one arrow display on at least one viewing surface pointing towards a selected object for guiding the driver in a specified direction of travel (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al. does not teach method for the navigational system, wherein system is in operative communications with a global positioning system (GPS) so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means.

Breed et al teaches the system and method for preventing vehicle accidents in which GPS ranging signals received (See Fig. 4-5, items 46,48,54,56,58, in description See from Col. 69, Line 50 to Col. 70, Lines 54). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as shown by Breed et al. in the Zamojdo et al. system and method so as to impart information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means in order to increase the speeds and shortening distances between vehicles (See Col. 68, Lines 333-37 in Breed et al reference).

As to claim 4, Zamojdo et al. teaches a navigational system, wherein at least one arrow is projected on at least one viewing surface so as to be perceived in a 3-dimentional spatial image (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

As to claim 22, Zamojdo et al. teaches a navigational method, wherein at least one arrow is projected on at least one viewing surface so as to be perceived in a 3-dimentional spatial image (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

As to claim 5, Zamojdo et al. teaches a navigational system, wherein at least one viewing surface comprises the windshield of automobile vehicle (See Fig. 3, 4, item 16, in description See Col. 3, Lines 13-14).

As to claim 23, Zamojdo et al. teaches a navigational system, wherein at least one viewing surface comprises the windshield of automobile vehicle (See Fig. 3, 4, item 16, in description See Col. 3, Lines 13-14).

As to claim 8, Zamojdo et al. teaches a navigational system, wherein at least one viewing surface comprises lenses of optical arrangement having at least one arrow provided

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thereon, lenses having regulatable degrees of curvature and through which there are displayed objects located exteriorly of vehicle, lens curvatures facilitating the 3-dimensional spatial image perception (See Fig. 3, item 621, in description See Col. 1, Lines 23-30).

As to claim 26, Zamojdo et al. teaches a navigational method, wherein at least one viewing surface comprises lenses of optical arrangement having at least one arrow provided thereon, lenses having regulatable degrees of curvature and through which there are displayed objects located exteriorly of vehicle, lens curvatures facilitating the 3-dimensional spatial image perception (See Fig. 3, item 621, in description See Col. 1, Lines 23-30).

As to claim 9, Zamojdo et al. teaches a navigational system, wherein system comprises means to assist drivers of the vehicle having reading disabilities and restrictions to read the names of objects and streets displayed on at least one viewing surface (See Fig. 3, item 621, in description See Col. 1, Lines 40-42).

As to claim 27, Zamojdo et al. teaches a navigational method, wherein system comprises means to assist drivers of the vehicle having reading disabilities and restrictions to read the names of objects and streets displayed on at least one viewing surface (See Fig. 3, item 621, in description See Col. 1, Lines 40-42).

As to claim 10, Zamojdo et al. does not teach a navigational system, wherein system comprises means to assist drivers of the vehicle to recognize the colors of traffic lights as displayed on at least one viewing surface.

Breed et al teaches the system which will emit a signal indicating its color (See Fig. 14, item 180, in description Col.14, Lines 1-12). It would have been obvious to one of ordinary

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skill in the art at the time of the invention to use the system as shown by Breed et al. in the Zamojdo et al. apparatus in order to increase the range of applications for the navigation system.

As to claim 28, Zamojdo et al. does not teach a navigational method, wherein system comprises means to assist drivers of the vehicle to recognize the colors of traffic lights as displayed on at least one viewing surface.

Breed et al teaches the system which will emit a signal indicating its color (See Fig. 14, item 180, in description Col.14, Lines 1-12). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system as shown by Breed et al. in the Zamojdo et al. method in order to increase the range of applications for the navigation system.

As to claim 12, Zamojdo et al. teaches a navigational system, wherein pointing means comprise at least one arrow (See Fig. 3, item 621, in description See Col. 3, lines 31-37).

As to claim 30, Zamojdo et al. teaches a navigational method, wherein pointing means comprise at least one arrow (See Fig. 3, item 621, in description See Col. 3, lines 31-37).

3. Claims 6, 24, rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al. and Breed et al. as aforementioned in claims 1, 19.

As to claim 6, Zamojdo et al. and Breed et al. do not teach a navigational system, wherein at least one viewing surface comprises a side front window of an automobile vehicle.

Since the criticality of the placing the image on a side window was not showing in the specifications or drawings such placement would have been considered as an obvious variation on the matter of selecting the viewing surface. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the image on the side front window in the

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Zamojdo et al. and Breed et al. apparatus in order to increase the range of applications for the navigation system.

As to claim 24, Zamojdo et al. and Breed et al. do not teach a navigational method, wherein at least one viewing surface comprises a side front window of an automobile vehicle.

Since the criticality of the placing the image on a side window was not showing in the specifications or drawings such placement would have been considered as an obvious variation on the matter of selecting the viewing surface. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the image on the side front window in the Zamojdo et al. and Breed et al. method in order to increase the range of applications for the navigation system.

4. Claims 7, 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al. and Breed et al. as aforementioned in claims 1, 19 in view of Schoolman (US Patent No. 5,281,957).

As to claim 7, Zamojdo et al. and Breed et al. do not teach viewing surface comprises eyeglasses worn by the driver of the vehicle.

Schoolman teaches the display constructed in a manner similar to a pair of eyeglasses but with the liquid crystal display screens replacing or forming a portion of the eyeglasses lenses (See Fig. 4-5, items 21, 35, in description See Col. 5, Lines 37-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the pair of eyeglasses as shown by Schoolman in the Zamojdo et al. and Breed et al. apparatus in order to increase the range of applications for the navigation system.

As to claim 25, Zamojdo et al. and Breed et al. do not teach viewing surface comprises eyeglasses worn by the driver of the vehicle.

Schoolman teaches the display constructed in a manner similar to a pair of eyeglasses but with the liquid crystal display screens replacing or forming a portion of the eyeglasses lenses (See Fig. 4-5, items 21, 35, in description See Col. 5, Lines 37-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the pair of eyeglasses as shown by Schoolman in the Zamojdo et al. and Breed et al. method in order to increase the range of applications for the navigation system.

5. Claims 13-16, 31-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al. and Breed et al. as aforementioned in claims 1, 19 in view of Walker et al. (US Patent No. 6,199,014 B1).

As to claim 13-16, Zamojdo et al. and Breed et al. teach a navigational system, wherein a computer is operatively connected to system for operating at least one arrow (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al. and Breed et al. do not show means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information.

Walker et al. shows means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one

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viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information (See Fig. 3, items 301-305, 310, 320, in description See Col. 6, Lines 3-34). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the approach as shown by Walker et al. in the Zamojdo et al. and Breed et al. system in order to increase the range of applications for the navigation system.

As to claim 31-34, Zamojdo et al. and Breed et al. teach a navigational method, wherein a computer is operatively connected to system for operating at least one arrow (See Fig. 3, item 621, in description See Col. 3, Lines 31-37).

Zamojdo et al. and Breed et al. do not show means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information.

Walker et al. shows means for inputting information to computer by the driver (by microphone or keyboard), computer including means for information displayed on at least one viewing surface while communicating with global positioning system, and imparting directional instructions to driver (by loudspeaker) in response to processing of items of information (See Fig. 3, items 301-305, 310, 320, in description See Col. 6, Lines 3-34). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the approach as shown by Walker et al. in the Zamojdo et al. and Breed et al. method in order to increase the range of applications for the navigation system.

6. Claim 17-18, 35-36 rejected under 35 U.S.C. 103(a) as being unpatentable over Zamojdo et al., Breed et al. and Walker et al. as aforementioned in claims 13, 31.

As to claims 17-18, Walker et al. teach control means (mouse) as input device (See Fig. 3, item 310, in description See Col. 6, Line17).

Zamojdo et al., Breed et al. and Walker et al. do not teach about a mouse mounted on the steering wheel.

Since the criticality of the placing the mouse on the steering wheel was not showing in the specifications or drawings such placement would have been considered as an obvious variation on the matter of selecting the mounting item. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the mouse on the steering wheel in the Zamojdo et al., Breed et al. and Walker et al. apparatus in order to increase the range of applications for the navigation system.

As to claims 35-36, Walker et al. teach control means (mouse) as input device (See Fig. 3, item 310, in description See Col. 6, Line17).

Zamojdo et al., Breed et al. and Walker et al. do not teach about a mouse mounted on the steering wheel.

Since the criticality of the placing the mouse on the steering wheel was not showing in the specifications or drawings such placement would have been considered as an obvious variation on the matter of selecting the mounting item. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the mouse on the steering wheel in

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the Zamojdo et al., Breed et al. and Walker et al. method in order to increase the range of applications for the navigation system.

***Response to Arguments***

7. In response to applicant's argument filed on 01-28-03 on page 6 that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Breed et al. teaches the system and method for preventing vehicle accidents in which GPS ranging signals received and Breed et al. imparting information to the driver regarding objects observed on at least one viewing surface and indicated by the driver by pointing to the objects with pointing means in order to increase speeds and shortening distances between vehicles (See Col. 68, Lines 33-37).

In response to applicant's argument that on page 6, that Breed et al. the global positioning system is merely for the purpose of aiding vehicles to remain in a driving lane, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

***Response to Amendment***

8. Applicant's arguments filed on 01-28-03 with respect to claims 1, 4-10, 12-19, 22-28, 30-36 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Telephone inquiry.***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone numbers for the


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organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Is

February 21, 2003

  
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